UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,182	10/21/2003	Lee Shombert	CISCP836	3936

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EXAMINER
KEEFER, MICHAEL E

ART UNIT	PAPER NUMBER
2154	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 February 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4,7-12 and 18-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-4,7-12 and 18-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is responsive to the Amendment filed 2/25/2008.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-3, 7-11, 18-19, and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wootton et al. (US 6128298) hereafter Wootton in view of Civanlar et

al. (US 5805805), hereafter Civanlar.

Regarding **claims 1 and 7-8**, Wootton discloses:

A gateway network element (Fig. 1, IP Filter 12) that provides access to

network elements (Fig. 1, 18) that are not directly reachable, comprising:

a processor that is directed by code; (the IP filter must have a processor

directed by code.)

code that receives and sends packets over a first IP based interface to a

first network; (Fig. 1, interface 18 on IP filter 12)

code that receives and sends packets over a second IP based interface to

a second network, (Fig. 1 interface 20 in IP filter 12) wherein IP addresses of

network elements in the second network are not visible to network elements in

the first network; (Col. 5 lines 9-12 disclose that the IP addresses of the private

network elements are not known in the public network)

A first set of filtering rules that are applied to packets coming in over the first IP interface that specify acceptable destination addresses and code that accepts packets received over the first IP based interface if the destination address specifies the gateway network element, a subnet broadcast address or a multicast address. (Col. 5 lines 16-20 state that all incoming traffic from the public network to the private network addresses the IP filter, thus it accepts packets on the public interface that specify the destination as the IP filter.)

Wootton discloses all the limitations of claims 1-3 and 7-10 except for filtering packets out that arrive on the second interface which indicate the gateway as the source.

The general concept of filtering out packets that indicate that the packet originated at the network element doing the filtering is well known in the art as taught by Civanlar. (Col. 12 lines 55-58 teach dropping packets that originated from the network element.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Wootton with the general concept of filtering out packets that indicate that the packet originated at the network element doing the filtering as taught by Civanlar in order to decrease network traffic by removing duplicate packets from the network.

Wootton and Civanlar teach all the limitations of claims 5-6 and 13-14 except for the first network being a DCN and the second network being a DCC.

The general concept of using a gateway for address translation and security (I.e. the system of Wootton and Sivanlar) between a DCN and DCC is well known in the art as taught by Semaan. (Fig. 1 teaches a DCN and DCC coupled with a gateway element. The GNE performs address translation and security between the IP DCC 105 and the IP ADCN 104.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wootton and Civanlar to be used in the network taught by Semaan in order to further increase security between the DCC network and the DCN.

Wootton, Civanlar, and Semaan teach all the limitations of claims 1, and 7-8 except for accepting packets from the private network that are addressed as being destined to the gateway (i.e. the second set of filtering rules for the second interface).

The general concept of a firewall, filter or gateway accepting packets destined to it from the private network is well known in the art as taught by Vu. (Col. 8 lines 38-50 teach a gateway accepting packets from the private network that are addressed as being destined for the gateway.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wootton, Civanlar, and Semaan with the general concept of a firewall, filter or gateway accepting packets destined to it from the private network as taught by Vu in order to allow the use of a UNIX device as the IP filter.

Regarding **claims 2 and 9 as applied to claims 1 and 8**, Wootton discloses:

code that sends packets over the first IP based interface only when the packets specify the gateway network element as the source. (Col. 5 lines 37-55

disclose that packets destined for the public network (i.e. the first interface) have the private IP address information removed from the packet so that the packet appears to have come from the filter.)

Regarding **claim 11 as applied to claim 8**, Vu teaches: accepting packets from the private network that are addressed as being destined to the gateway. (Col. 8 lines 38-50 teach a gateway accepting packets from the private network that are addressed as being destined for the gateway.)

Claim 18 is the combination of claims 10 and 11 which are rejected above. Similiar reasonings apply to this claim.

Claim 19 recites third and fourth filtering rules, which have already been rejected as part of claim 1. Nothing distinguishes the rules claimed in the third and fourth set from the rules used to reject the first and second set, therefore, similar rejections apply to claim 19 as claim 1.

Claim 22, the IP filter contains code that filters the packets based on the interface and whether the destination address specifies the gateway network element. (as stated above, the limitation that filters by destination address as the gateway network element is disclosed and/or taught above. Further, the packets are treated differently (categorized) based off of the interface that they arrive on, as disclosed in at least the abstract of Wootton (the ip filter effects a translation between a source port number and a destination port number, therefore in order to make a correct translation the IP filter must know which interface the packet arrived on in order to make a proper translation.))

Claim 23, the first network in Wootton is a WAN, and the second network is a

LAN, as cited above.

3.   Claims 4, 12, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Wootton, Civanlar, Semaan, and Vu as applied to claims 1 and 8 above, and

further in view of Daude et al. (US 6892235), hereafter Daude.

Wootton and Civanlar teach all the limitations of claims 4 and 12 except for the

use of a proxy server in the gateway (firewall/filter).

The general concept of using a SOCKS proxy server within a firewall, packet

filter, or gateway is well known in the art as taught by Daude. (Col. 3 lines 51-64 teach

the use of a SOCKS proxy server within a firewall.)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Wootton and Civanlar with the general concept of using a SOCKS

proxy server within a firewall, packet filter, or gateway as taught by Daude in order to

allow users of the private network better access to Internet services.

4.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Wootton, Civanlar, Semaan and Vu as applied to claim 1 above, and further in view of

Wittman (US 2005/0169282).

Wootton, Civanlar, Semaan and Vu teach all the limitations of claim 20 except for

filtering packets by type and port.

The general concept of a gateway or firewall filtering packets by type and port is

well known in the art as taught by Wittman. (See [0022])

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Wootton, Civanlar, Semaan and Vu with the general concept

of a gateway or firewall filtering packets by type and port as taught by Wittman in

order to permit the administrator to have more information with which to tailor

filtering rules.

Response to Arguments

5.   Applicant's arguments with respect to claims 1-3, 7-12, and 18-23 have been

considered but are moot in view of the new ground(s) of rejection. The Examiner notes

that in the above rejections explanations have been provided as to how the references

of record map to the newly amended and added claims. Should the Applicant wish to

discuss the rejections of record and/or amendments that may overcome the art of

record the Examiner invites the Applicant to schedule an interview.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MICHAEL E. KEEFER whose telephone number is

(571)270-1591. The examiner can normally be reached on Monday through Friday

9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MEK 6/20/2008

/Joseph E. Avellino/

Primary Examiner, Art Unit 2146